

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA

WILLIAM JAMESON	:	CIVIL ACTION
	:	NO. 02-2802
v.	:	
	:	
JOHN J. RIGAS, MICHAEL J.	:	
RIGAS, TIMOTHY J. RIGAS,	:	
and JAMES P. RIGAS	:	

(Additional Captions Set Forth Below)

MOTION OF WILLIAM H. SPADAFORA, THOMAS TARLA, DALLAS BEECHAM AND
CARROL BEENE FOR CONSOLIDATION, APPOINTMENT AS LEAD PLAINTIFFS
UNDER SECTION 21D(a)(3)(B) OF THE SECURITIES ACT OF 1934 AND
APPROVAL OF LEAD PLAINTIFFS' SELECTION OF
CO-LEAD COUNSEL

ERNEST PEDATA	:	CIVIL ACTION
	:	NO. 02-2901
v.	:	
	:	

JOHN J. RIGAS, MICHAEL J.	:	
RIGAS, TIMOTHY J. RIGAS,	:	
and JAMES P. RIGAS	:	
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DAVID SORENSON	:	CIVIL ACTION
	:	NO. 02-3158
v.	:	
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JOHN J. RIGAS, MICHAEL J.	:	
RIGAS, TIMOTHY J. RIGAS,	:	
and JAMES P. RIGAS	:	
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HAROLD WEINER	:	CIVIL ACTION
	:	NO. 02-3211
v.	:	
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JOHN J. RIGAS, MICHAEL J.	:	
RIGAS, TIMOTHY J. RIGAS,	:	
and JAMES P. RIGAS	:	
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BRIAN SMITH	:	CIVIL ACTION
	:	NO. 02-3625
v.	:	
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JOHN J. RIGAS, MICHAEL J.	:	
RIGAS, TIMOTHY J. RIGAS,	:	
and JAMES P. RIGAS	:	
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KURT MEYLE	:	CIVIL ACTION
	:	NO. 02-3699
v.	:	
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JOHN J. RIGAS, MICHAEL J.	:	
RIGAS, TIMOTHY J. RIGAS,	:	
and JAMES P. RIGAS	:	
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JEFFREY J. HYSLIP	:	CIVIL ACTION
	:	NO. 02-3768
v.	:	
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JOHN J. RIGAS, MICHAEL J.	:	
RIGAS, TIMOTHY J. RIGASX,	:	
and JAMES P. RIGAS	:	
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SCOTT BURNSIDE	:	CIVIL ACTION
	:	NO. 02-3769
v.	:	
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JOHN J. RIGAS, MICHAEL J.	:	
RIGAS, TIMOTHY J. RIGAS,	:	
and JAMES P. RIGAS	:	
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WILLIAM H. SPADAFORA	:	CIVIL ACTION
	:	NO. 02-3858
v.	:	
	:	
JOHN J. RIGAS, MICHAEL J.	:	
RIGAS, TIMOTHY J. RIGAS,	:	
and JAMES P. RIGAS,	:	
	:	
FEIVEL GOTTLIEB RESTATED	:	
DEFINED BENEFIT TRUST	:	CIVIL ACTION
	:	NO. 02-4486
v.	:	
	:	
JOHN J. RIGAS, MICHAEL J.	:	
RIGAS, TIMOTHY J. RIGAS,	:	
and JAMES P. RIGAS	:	
	:	

**MOTION OF WILLIAM H. SPADAFORA, THOMAS TARLA, DALLAS BEECHAM AND
CARROL BEENE FOR CONSOLIDATION, APPOINTMENT AS LEAD PLAINTIFFS
UNDER SECTION 21D(a)(3)(B) OF THE SECURITIES ACT OF 1934 AND
APPROVAL OF LEAD PLAINTIFFS' SELECTION OF
CO-LEAD COUNSEL**

William H. Spadafora, Thomas Tarla, Dallas Beecham and Carrol Beene (the "Spadafora Group" or "Movants" or "Proposed Lead Plaintiffs")¹ hereby move this Court, under Section 21D(a)(3)(B) of the Securities Exchange Act of 1934 ("Exchange Act"), as amended by the Private Securities Litigation Reform Act of 1995 ("PSLRA"), for their appointment to serve as Lead Plaintiffs in this securities fraud class action under Section 21D(a)(3)(B)(v), for approval of their choice of Berger & Montague, P.C. and Schatz & Nobel, P.C., as Co-Lead Counsel for the Class and for consolidation.

¹ The certifications of the Proposed Lead Plaintiffs are contained in the annexed Declaration of Robin Switzenbaum, Esquire in Support of the Spadafora Group's Motion for Consolidation Appointment of Lead Plaintiffs Under Section 21D(a)(3)(B) of the Securities Exchange Act of 1934 and Approval of Lead Plaintiffs' Selection of Co-Lead Counsel.

Consolidation of all of the above-captioned actions, pursuant to Rule 42(a) of the Federal Rules of Civil Procedure, is appropriate because each of these cases arises out of the same operative facts and asserts similar claims for violations of Sections 10(b) and 20(a) of the Exchange Act and Rule 10b-5 promulgated thereunder, against John J. Rigas, Timothy J. Rigas, James P. Rigas and Michael J. Rigas. Adelphia Business Solutions, Inc. filed for bankruptcy protection and thus was not named a defendant in any of the cases.

Movants, as the Proposed Lead Plaintiffs, have timely filed their motion and, pursuant to the PSLRA, are believed to constitute the investors with the largest financial interest in the outcome of the case. The Proposed Lead Plaintiffs meet the requirements of the PSLRA and Rule 23 of the Federal Rules of Civil Procedure in that their claims are typical of the claims of the class, and they will fairly and adequately represent the interests of the class. The Proposed Lead Plaintiffs' choice of counsel should be accepted by this Court because their selected counsel are nationally recognized firm with extensive experience and expertise in securities fraud and other class actions.

In further support of their motion, Movants rely on the accompanying Memorandum of Law and the Declaration of Robin Switzenbaum filed herewith.

DATED: July 9, 2002

BERGER & MONTAGUE, P.C.

By: _____
Sherrie R. Savett
Robin Switzenbaum
1622 Locust Street
Philadelphia, PA 19103
(215) 875-3000 (telephone)
(215) 875-4604 (fax)

Proposed Co-Lead Counsel

Andrew M. Schatz, Esq.
Nancy A. Kulesa, Esq.
SCHATZ & NOBEL, P.C.
330 Main Street, 2nd Floor
Hartford, CT 06106-1851
(860) 493-6292 (telephone)
(860) 493-6290 (fax)

Proposed Co-Lead Counsel

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